

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NATHANIEL PORTER,

Plaintiff,

Case No. 1:10-cv-131

v.

Honorable Paul L. Maloney

UNKNOWN PARTY et al.,

Defendants.

ORDER

This is a civil rights action brought by a state prisoner pursuant to 42 U.S.C. § 1983. By order entered February 16, 2010 (docket #4), the Court granted Plaintiff's request to proceed *in forma pauperis* and required Plaintiff to pay an initial partial filing fee of \$18.83 pursuant to 28 U.S.C. § 1915(b)(1). The Court ordered that the initial partial filing fee be paid within 28 days, and warned Plaintiff that his case would be dismissed without prejudice should he fail to pay. The Court also warned Plaintiff that he would remain liable for the filing fee.

Twenty-eight days have now elapsed, and Plaintiff has not paid the fee. Because Plaintiff has failed to comply with the Court's order, the Court will dismiss the action without prejudice for lack of prosecution. Plaintiff shall remain liable for the \$350.00 civil action filing fee.

Dated: April 5, 2010

/s/ Paul L. Maloney

Paul L. Maloney
Chief United States District Judge